

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John Michael Arndt
Debtor(s)

Bankruptcy Case No.: 18-20822-TPA
Per October 18, 2018 proceeding
Chapter: 13
Docket No.: 72 - 24
Concil. Conf.: October 18, 2018 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 29, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 18, 2018/10/19 at 11:00 AM 11:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: October 24, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 John Michael Arndt
 Debtor

Case No. 18-20822-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lmar
 Form ID: 149

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 Total Noticed: 32

Date Rcvd: Oct 24, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2018.

db +John Michael Arndt, 3008 Norland Ave., Carnegie, PA 15106-1133
 cr +Americredit Financial Services, Inc. DBA GM Financial, P.O. Box 183853,
 Arlington, TX 76096-3853
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 cr +Pittsburgh Water & Sewer Authority, Goehring, Rutter, and Boehm,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
 UNITED STATES 15219-6101
 cr +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, CO 80129-2386
 14786024 ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: Americredit Financial Services, Inc., P.O. Box 183853,
 Arlington, TX 76096-3853)
 14786026 BP/Sync B, P.O. Box 530942, Atlanta, GA 30353-0942
 14786029 Comcast, P.O. Box 3002, Southeastern, PA 19398-3002
 14793543 +Deutsche Bank National Trust Co. Trustee (See 410), c/o Specialized Loan Servicing LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
 14786031 +Deutsche Bank, National Trust Co., c/o Americas Servicing, P.O. Box 10328,
 Des Moines, IA 50306-0328
 14786032 Duquesne Light Company, c/o Peter J. Ashcroft, Esquire, Bernstein-Burkley, P.C.,
 Pittsburgh, PA 15219-1900
 14811141 Educational Credit Management Corporation, P.O. Box 16408, St. Paul, MN 55116-0408
 14786034 GMAC Financial, P.O. Box 78143, Phoenix, AZ 85062-8143
 14786035 Joseph P. Schalk, Esquire, Phelan, Hallinan, Diamond & Jones, LLP,
 Omni William Penn Office Tower, 555 Grant Street, Suite 300, Pittsburgh, PA 15219-4408
 14786037 Pa-American Water Company, P.O. Box 371412, Pittsburgh, PA 15250-7412
 14786039 Peoples Natural Gas Company, P.O. Box 535323, Pittsburgh, PA 15253-5323
 14801061 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 14820614 +Pittsburgh Water & Sewer Authority, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14786040 +Pittsburgh Water & Sewer Authority, 1200 Penn Ave--Penn Liberty Plaza I,
 Pittsburgh, PA 15222-4216
 14786042 S. James Wallace, Esquire, 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
 14885482 +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,
 Highlands Ranch, Colorado 80129-2386

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14786025 E-mail/Text: bankruptcy@sccompanies.com Oct 25 2018 02:40:55 Amerimark Premier,
 P.O. Box 2845, Monroe, WI 53566-8045
 14786027 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 25 2018 02:37:45
 Capital One Bank (USA), N.A., P.O. Box 71083, Charlotte, NC 28272-1083
 14786030 E-mail/PDF: creditonebknofications@resurgent.com Oct 25 2018 02:37:52 Credit One Bank,
 P.O. Box 60500, City of Industry, CA 91716-0500
 14830349 +E-mail/Text: kburkley@bernsteinlaw.com Oct 25 2018 02:42:29 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14786033 E-mail/Text: bnc-bluestem@quantum3group.com Oct 25 2018 02:42:22 Fingerhut, P.O. Box 166,
 Newark, NJ 07101-0166
 14786036 E-mail/Text: bankruptcy@sccompanies.com Oct 25 2018 02:40:55 Masseys, P.O. Box 2822,
 Monroe, WI 53566-8022
 14786038 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 25 2018 02:41:36
 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,
 Harrisburg, PA 17128-0946
 14786041 E-mail/PDF: rmscedi@recoverycorp.com Oct 25 2018 02:37:30
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,
 Miami, FL 33131-1605
 14786043 E-mail/Text: bankruptcy@sccompanies.com Oct 25 2018 02:42:43 Seventh Avenue,
 P.O. Box 8994, Madison, WI 53794-0122
 14786044 E-mail/Text: bankruptcy@sccompanies.com Oct 25 2018 02:40:55 Shop Now Pay Plan,
 P.O. Box 2852, Monroe, WI 53566-8052
 14786045 E-mail/Text: bankruptcy@sccompanies.com Oct 25 2018 02:40:55 Stoneberry, P.O. Box 2820,
 Monroe, WI 53566-8020

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Deutsche Bank National Trust Company, as Trustee,
 cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
 14803860* ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: Americredit Financial Services, Inc., dba GM Financial,
 PO Box 183853, Arlington, TX 76096)
 14858446* ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: Americredit Financial Services, Inc., Dba GM Financial,
 P.O. Box 183853, Arlington, TX 76096)

District/off: 0315-2

User: lmar
Form ID: 149

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Total Noticed: 32

Date Rcvd: Oct 24, 2018

14786028 ##+Collection Service Center, 689 N. Heritage Road, Hermitage, PA 16148-3237

TOTALS: 1, * 3, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 26, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on October 24, 2018 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Deutsche Bank National Trust Company, as Trustee, ET
AL bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com,
cnoroski@grblaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
DMcKay@bernsteinlaw.com
Lisa Cancanon on behalf of Creditor Specialized Loan Servicing LLC lisac@w-legal.com
Michael S. Geisler on behalf of Debtor John Michael Arndt m.s.geisler@att.net,
msgeis@yahoo.com;michaelgeisler13@gmail.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 8